

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

YOU GUO YANG

a/k/a "Jackie Wong,"

PAO HUA YU,

TO LEE

a/k/a "Leo,"

XING LU CHEN

a/k/a "Tom Chen"

a/k/a "Xiao Long Chen,"

WEN ZHOU

a/k/a "When,"

TIAN JIAN PAN

a/k/a "Dong Sheng Zheng,"

MING DI YU

a/k/a "Ming De Yu,"

MING ZHONG YU

a/k/a "Wei Ming Yu,"

XIU CHENG ZHENG

a/k/a "Ah Sen,"

SHIAO WEN HSIEH

a/k/a "Cicely,"

YALIN LIU

a/k/a "Alan,"

BING LIN PAN

a/k/a "Pan Bing Lin,"

NO. 1:16-CR-042

Chief Judge Conner

FILED
HARRISBURG, PA

FEB 24 2016

MARIA E. ELKINS, CLERK

Per
DEPUTY CLERK

WEI MING HE)
a/k/a "Wei Ho,")
a/k/a "Weiming He")
a/k/a "Ming Wei")
a/k/a "Xue Dong," and)
YU HUA MEI)
a/k/a "Samantha Mei,")
Defendants)

I N D I C T M E N T

THE GRAND JURY CHARGES:

Count 1
Conspiracy to Commit Mail Fraud and Wire Fraud
(18 U.S.C. § 1349)

INTRODUCTION

At all times relevant to this Indictment:

1. The Federal Motor Carrier Safety Administration ("FMCSA") is an agency of the United States Department of Transportation ("USDOT") the primary mission of which is to reduce crashes, injuries, and fatalities involving large trucks and buses. To further its mission, the FMCSA has adopted regulations to govern commercial bus carriers ("bus carriers"), including regulations to insure that bus carriers are properly licensed, insured, maintained and operated.

2. FMCSA requires each bus carrier to obtain a USDOT Number.

The USDOT Number is obtained through the completion and submission, under penalties for perjury, of a federal “Motor Carrier Identification Report,” identified as Form MCS-150. The USDOT Number serves as a unique identifier to aid in the collection and monitoring of a bus carrier’s safety record and to aid in the collection and monitoring of other information acquired in various ways, including, but not limited to, during audits, compliance reviews, crash investigations and inspections.

3. FMCSA also requires each bus carrier to complete and submit to USDOT, under penalties for perjury, a Form OP-1 in order to obtain an “MC Number.” The MC Number serves as a unique identifier for the bus carrier’s operating authority. Among other required information, the OP-1 Form requires an applicant seeking operating authority to provide the following information: the bus carrier’s business address; the bus carrier’s insurance information; information regarding the bus carrier’s compliance with USDOT safety regulations; and, the bus carrier’s relationship and affiliation with any other bus carrier within the past 3 years.

4. The Automobile Insurance Plan Service Office (“AIPSO”) is a non-profit organization, headquartered in Rhode Island, which provides management, organization and service for assigned risk insurance plans in numerous states, including Pennsylvania. Among other activities, AIPSO administers the PA Assigned Risk Plan and assists qualified bus carriers to obtain insurance coverage for their commercial activities. A bus carrier applying for insurance under the PA Assigned Risk Plan must meet certain criteria set forth in the “Pennsylvania Assigned Risk Plan Commercial Automobile Part.” For multistate operations, the state plan for the state in which the operating headquarters of the commercial bus carrier are located shall provide the insurance. A vehicle principally garaged in a state other than Pennsylvania is subject to the rate, additional charges, and rating rules applicable under the plan of the state of principal garaging.

5. The titling, registration and issuance of license plates for bus carriers in Pennsylvania is controlled by the Pennsylvania Department of Transportation (“PennDOT”), which is located in Harrisburg, Pennsylvania.

6. The Safety and Fitness Electronic Records (“SAFER”) System is accessible over the Internet through a website maintained by FMCSA.

The FMCSA uploads information provided by bus carriers, including the business name, business address, business telephone number and insurance information. The public may access the SAFER system to assess a particular bus carrier. Information such as the number of drivers, crashes, insurance and bonds, inspections and enforcement activity are maintained by SAFER.

7. Defendants You Guo Yang (a/k/a “Jackie Wong”), Pau Hua Yu, To Lee (a/k/a “Leo”), Xing Lu Chen (a/k/a “Tom Chen” and a/k/a “Xiao Long Chen”), Wen Zhou (a/k/a “When”), Tian Jian Pan (a/k/a “Dong Sheng Zheng”), Ming Di Yu (a/k/a “Ming De Yu”), Ming Zhong Yu (a/k/a “Wei Ming Yu”), Xiu Cheng Zheng (a/k/a “Ah Sen”), Shiao Wen Hsieh (a/k/a “Cicely”), Yalin Liu (a/k/a “Alan”), Bing Lin Pan (a/k/a “Pan Bing Lin”), Wei Ming He (a/k/a “Wei Ho”, “Weiming He”, “Ming Wei” and “Xue Dong”) and Yu Hua Mei (a/k/a “Samantha Mei”) formed, controlled, managed and operated various bus carriers and made materially false statements to FMCSA, AIPSO, the PA Assigned Risk Plan, PennDOT and others in documents and interviews. The materially false statements allowed the defendants and the bus carriers to fraudulently obtain USDOT Numbers, MC Numbers and Pennsylvania insurance for various bus carriers including but not limited to All State Travel Bus,

Inc., Asia Tours, Inc., Apex Bus (NY), Inc., New Egg Bus, Inc., and Universe Bus, Inc.

8. The fraudulently obtained USDOT Numbers, MC Numbers and Pennsylvania insurance permitted the defendants and the bus carriers including but not limited to All State Travel Bus, Inc., Asia Tours, Inc., Apex Bus (NY), Inc., New Egg Bus, Inc., and Universe Bus, Inc. to operate unsafe buses plus impede and obstruct the FMCSA from its the proper administration and enforcement of FMCSA regulations overseeing financial responsibility, safety, maintenance and drivers.

9. Defendant You Guo Yang a/k/a “Jackie Wong” is a key leader in the conspiracy exerting control over many bank accounts tied to bus carriers as well as being identified in documents and interviews as the following:

- President and 20% shareholder of Apex Bus (NY), Inc.;
- President and owner of Asia Tours, Inc. which falsely listed State College Pennsylvania as its headquarters and did the following on behalf of Asia Tours, Inc.:
 - Incorporator of Asia Tours, Inc.;
 - Sole signatory on a First American International Bank business checking account of Asia Tours, Inc.;
 - Register of Asia Tours, Inc. with the Commonwealth of Pennsylvania;
- Vice President of New Egg Bus, Inc. on a business checking account with Bank of America;
- Partial owner of Horse Run Tour, Inc. (USDOT #1192242), a bus carrier that was shut down by FMSCA for numerous safety

violations and which transferred the title of several buses to both to New Egg Bus, Inc. and Asia Tours, Inc.;

- President of New Today Bus, Inc. (USDOT #1809146);
- Signatory on a bank account for Long Hang, Inc. (USDOT #1726310)

He made materially false statements and omissions in Motor Carrier Identification Reports (MCS-150) and in the applications for motor passenger authority (forms OP-1P) submitted to FMCSA on behalf of Asia Tours, Inc. Additionally, he made materially false statements on the application to the Pennsylvania Assigned Risk Insurance Plan on behalf of Asia Tours, Inc. Finally, he submitted documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses for various bus carriers.

10. Defendant Pao Hua Yu is another key leader in the conspiracy exerting control over many bank accounts tied to bus carriers as well as being identified in documents and interviews as the following:

- 20 % shareholder and the Chairperson of Apex Bus (NY), Inc.;
 - Incorporator of Apex Bus (NY), Inc.
- President of Universe Bus, Inc.;
- President of New Egg Bus, Inc. and 100% owner of New Egg Bus Inc.;
 - Incorporator of New Egg Bus, Inc.;
- A 33% owner of Golden Horse Bus Line Inc. (USDOT #2072661);
- President of New Today Bus Corp. (USDOT #1787402);
- 35% silent owner of H & W Tours (USDOT # 1433545).

She made materially false statements and omissions in Motor Carrier Identification Reports (MCS-150) and in the applications for motor passenger authority (forms OP-1P) submitted to FMCSA on behalf of New Egg Bus, Inc. She also made materially false statements on the application to the Pennsylvania Assigned Risk Insurance Plan on behalf of New Egg Bus, Inc. and she submitted documents to Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information on behalf of New Egg Bus, Inc. Finally, she submitted documents to PennDot to facilitate the fraudulent transfer, titling and registration of buses for various bus carriers

11. Defendant To Lee (aka "Leo") assists in the running of the day to day operations of numerous bus carriers including but not limited to Asia Tours, Inc., New Egg Bus, Inc., Apex Bus (NY), Inc., All State Travel Bus, Inc. and Universe Bus Inc. He has been a driver for several of the bus carriers and been issued various citations as a driver. He has been represented as the manager of Asia Tours, Inc., New Egg Bus, Inc., Apex Bus (NY), Inc., All State Travel Bus, Inc. and Universe Bus Inc. in documents submitted to FMCSA and his email address TOLEE99@GMAIL.COM and phone number have been represented as

the contact information for the bus carriers and he has met with FMCSA officials for inspections of the various bus carriers. He is also the owner of www.NYCityBus.com, a site which provides revenue to Apex Bus (NY), Inc. and other bus carriers through ticket sales.

Additionally, he has been identified in documents and interviews as the following:

- Universe Bus Inc.
 - President; Manager;
- Manager of A-One Bus Inc. (USDOT #2042137) sharing the same address as the Universe Bus, Inc.;
- Safety manager for DCVA Beach Express, Inc. (USDOT #2161432), sharing the same address in State College as Asia Tours, Inc.
- Submitted documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses.

12. Defendant Tom Chen (aka “Xiao Long Chen and “Xing Lu Chen”) assists defendant To Lee (aka “Leo”) in the running of the day to day operations of the numerous bus carriers and dispatches and shifts buses between numerous bus carriers including but not limited to Asia Tours, Inc., New Egg Bus, Inc., Apex Bus (NY), Inc., All State Travel Bus, Inc. and Universe Bus Inc. and has met with FMCSA officials for inspections of the various bus carriers along with other defendants such as To Lee (aka “Leo”). Additionally, he has been identified in documents and interviews as the following:

- New Egg Bus, Inc.;
 - Vice President; Manager;
- Asia Tours, Inc.;
 - Manager

13. Defendant Wen Zhou (aka “When”) assists in the running of the day to day operations of numerous bus carriers including but not limited to Asia Tours, Inc., New Egg Bus, Inc., Apex Bus (NY), Inc., All State Travel Bus, Inc. and Universe Bus Inc. and has ties to several other bus carriers controlled by other defendants in the conspiracy. He has been a driver for several of the bus carriers and been issued various citations as a driver and has met with FMCSA officials for inspections of Universe Bus, Inc. Additionally, he has been identified in documents and interviews as the following:

- Apex Bus (NY), Inc.;
 - Manager; Driver
- Asia Tours, Inc.;
 - Vice President; Manager; Driver;
- New Egg Bus, Inc.;
 - Owner/co-owner; Manager;
- All State Travel Bus, Inc.;
 - Owner; Vice President; Bus Driver;
- Universe Bus, Inc.;
 - President; Vice President; Bus Driver;
- Owner of www.apex.com a site which provides revenue to the Apex Bus (NY), Inc. through ticket sales.

He assisted in obtaining a lease for a property in State College which was used to fraudulently misrepresent the headquarters of New

Egg Bus, Inc. to FMCSA, PennDOT and others. Finally, he has also submitted documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses on behalf of All State Travel Bus, Inc., New Egg Bus, Inc., Apex Bus (NY), Inc. and Universe Bus, Inc.

14. Defendant Tian Jian Pan (aka “DongSheng Zheng”) is listed as the President, Vice President, Secretary and named incorporator of Universe Bus, Inc. and has been a driver for Universe Bus, Inc. He has made materially false statements on applications to the Pennsylvania Assigned Risk Insurance Plan on behalf of Universe Bus, Inc. He also has submitted documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses. Finally, he has submitted documents to Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information

15. Defendant Ming Di Yu (aka “De”) is listed as the President of All State Travel, Inc. He made materially false statements and omissions in Motor Carrier Identification Reports (MCS-150) on behalf of All State Travel Bus, Inc. He has submitted documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses on behalf of All State Travel Bus, Inc. Finally, he has submitted documents to

Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information.

16. Defendant Ming Zhong Yu has ties to Apex Bus (NY), Inc., Universe Bus, Inc., New Egg Bus, Inc. and Asia Tours, Inc.

- Apex Bus (NY), Inc.;
 - Manager;
- Universe Bus, Inc.;
 - Safety manager; Office manager;
- New Egg Bus, Inc.;
 - Assistant manager
- Asia Tours, Inc.
 - Safety Manager
- Manager of Universal Bus Travel, Inc. (USDOT #1553096).

He has made materially false statements and omissions in Motor Carrier Identification Reports (MCS-150) and in the application for motor passenger authority (forms OP-1P) submitted to FMCSA on behalf of several bus carriers including Apex Bus (NY), Inc., Asia Tours, Inc. and New Egg Bus, Inc. He has submitted documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses documents to Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information.

17. Defendant Xiu Cheng Zheng (aka “Ah Sen”) is the boyfriend of Defendant Pao Hua Yu. He owns real estate in Georgia that is used as a hub for bus routes for various bus carriers

- 60% owner of All State Travel Bus, Inc.;
- 10% owner and President of Apex Bus (NY), Inc.;
- Partner, President, owner and treasurer of Universe Bus, Inc.

He is also a shareholder in Apex Bus (NY), Inc. and has made materially false statements and omissions in Motor Carrier Identification Reports (MCS-150) as well as submitting documents to PennDOT to facilitate the fraudulent transfer, titling and registration of buses and documents to Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information.

18. Defendant Shiao Wen Hsieh (aka "Cicely") assists in the running of the day to day operations of numerous bus carriers including Asia Tours, Inc. and New Egg Bus, Inc. She is a former owner of a Chinese Restaurant located in State College the address that was used by Universe Bus, Inc. in representations to FMCSA and others. She arranges bus transports to and from State College to New York City for employees of various restaurants in State College employing illegal immigrants. Additionally, she assisted in obtaining a lease for a property in State College that was subsequently misrepresented to FMCSA, PennDOT and others as the headquarters of New Egg Bus, Inc. She also has submitted documents to PennDOT to facilitate the

fraudulent transfer, titling and registration of buses and documents to Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information.

- New Egg Bus, Inc.;
 - Secretary; Employee;
- Asia Tours, Inc.;
 - Employee;
- Officer of A-One Bus, Inc. (USDOT #2042137);

19. Defendant Yalin Liu (aka “Alan”), is an insurance producer with the Commonwealth of Pennsylvania (Producer #385149) who owns and operates A-Best Insurance & Financial Services, Inc., a producing agency with the State of Pennsylvania (#58228). Yalin Liu (aka “Alan”), individually and through his insurance agency, A-Best Insurance & Financial Services, Inc., on behalf of the defendants drafted, prepared and submitted fraudulent documents to FMCSA, PennDOT, the Pennsylvania Department of State and the PA Assigned Risk Plan including false resumes for individuals involved in various bus carriers. The documents included Articles of Incorporation to the Pennsylvania Department of State, MCS-150 forms to FMCSA, title and registration applications for vehicles to PennDOT, insurance applications to the PA Assigned Risk Plan and AIPSO, all of which contained false, incomplete and fraudulent information.

20. Defendant Bing Lin Pan (aka “Pan Bing Lin”) has submitted documents on behalf of Universe Bus, Inc. to PennDOT to facilitate the fraudulent transfer, titling and registration of buses and documents to Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes containing false, incomplete and fraudulent information.

21. Defendant Samantha Mei (aka “Yu Hua Mei”) is a manager with All State Travel, Inc. and has been identified as the company representative when meeting with FMCSA officials for inspections of All State Travel, Inc. She has acted as an interpreter for defendant Ming Di Yu (aka “Ming De Yu”) during inspections with FMCSA and acknowledged non-compliance with Federal Motor Regulations. Additionally, she has allowed drivers to violate Federal Motor Regulations and has corresponded with FMCSA regarding various safety violations.

22. Defendant Wei Ming He (aka “Wei Ho,” “Weiming He,” “Ming Wei,” and “Xue Dong”) has been identified in documents and interviews as the following:

- 10% owner of Apex Bus (NY), Inc.;
- Owner of Cherry Bus Company, a company which has ties to the defendant Pau Hua Yu and has lease agreements with 121 N. 11th Street, the same address used both by Universe Bus, Inc. and New Egg Bus, Inc.

- President of Horse Run Tour, Inc. (USDOT #1192242) a bus carrier who defendant You Guo Yang has been identified as a partial owner which was shut down by FMSCA for numerous safety violations and which transferred the title of several buses to both to the New Egg Bus, Inc. and Asia Tours, Inc.

Additionally, he has individually and through Horse Run Tour, Inc. bank accounts provided checks and money transfers to defendant You Guo Yang as well as other bus carriers including but not limited to Apex Bus (NY), Inc., New Egg Bus, Inc. and New Today Bus.

THE CONSPIRACY

23. From at least as early as April 2005 through in or about May 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

YOU GUO YANG a/k/a "Jackie Wong,"
PAO HUA YU,
TO LEE a/k/a "Leo,"
XING LU CHEN a/k/a "Tom Chen" a/k/a "Xiao Long Chen,"
WEN ZHOU a/k/a "When,"
TIAN JIAN PAN a/k/a "Dong Sheng Zheng,"
MING DI YU a/k/a "Ming De Yu,"
MING ZHONG YU a/k/a "Wei Ming Yu,"
XIU CHENG ZHENG a/k/a "Ah Sen,"
SHIAO WEN HSIEH a/k/a "Cicely,"
YALIN LIU a/k/a "Alan,"
BING LIN PAN a/k/a "Pan Bing Lin,"
WEI MING HE a/k/a "Wei Ho," a/k/a "Weiming He," a/k/a "Ming Wei,"
a/k/a "Xue Dong," and
YU HUA MEI a/k/a "Samantha Mei,

did knowingly and intentionally combine, conspire, confederate and agree, together with one another, and together with others known and unknown to the Grand Jury, to devise a material scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice: to knowingly cause matter and things to be delivered by the United States Postal Service and private and commercial interstate carriers, in violation of Title 18 United States Code, § 1341; and, to transmit and cause to be transmitted by means of wire communications in interstate commerce certain writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, § 1343.

OBJECT OF THE CONSPIRACY

24. The object of the conspiracy was for the defendants to fraudulently obtain insurance for bus carriers at rates applicable to bus carriers eligible to be insured through the Pennsylvania Assigned Risk Plan when, in fact, the bus carriers were not eligible to be insured through the Pennsylvania Assigned Risk Plan and were not eligible for the Pennsylvania Assigned Risk Plan rates but were rather required to be

insured by another plan, and were required to pay materially higher rates.

MANNER AND MEANS

25. It was part of the conspiracy that the defendants made materially false statements and omissions in Motor Carrier Identification Reports (forms MCS-150), in applications for motor passenger carrier authority (forms OP-1P), in applications to the Pennsylvania Assigned Risk Insurance Plan, and in other forms, documents and filings made by agents of A-Best Insurance & Financial Services, Inc., and others, on behalf of Apex Bus (NY), Inc., All State Travel Bus, Inc., Universe Bus, Inc., Asia Tours, Inc., New Egg Bus, Inc. and on behalf of other bus carriers which the defendants intended to unlawfully benefit. Among other material false statements and omissions intentionally and fraudulently made by the defendants in applications, forms, documents and filings, the defendants stated that the operating headquarters of certain bus carriers were located in Pennsylvania and that certain buses were garaged at certain locations in Pennsylvania when, in fact, those statements were not true.

All in violation of Title 18, United States Code, § 1349.

THE GRAND JURY FURTHER CHARGES:

Counts 2 through 9
Mail Fraud
(18 U.S.C. § 1341)

26. The Grand Jury hereby incorporates by reference, as though fully set forth herein, each of the allegations contained in Counts 1 and 10 of this Indictment.

27. From at least as early as April 2005 through in or about May 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

YOU GUO YANG a/k/a "Jackie Wong,"
PAO HUA YU,
TO LEE a/k/a "Leo,"
XING LU CHEN a/k/a "Tom Chen" a/k/a "Xiao Long Chen,"
WEN ZHOU a/k/a "When,"
TIAN JIAN PAN a/k/a "Dong Sheng Zheng,"
MING DI YU a/k/a "Ming De Yu,"
MING ZHONG YU a/k/a "Wei Ming Yu,"
XIU CHENG ZHENG a/k/a "Ah Sen,"
SHIAO WEN HSIEH a/k/a "Cicely,"
YALIN LIU a/k/a "Alan,"
BING LIN PAN a/k/a "Pan Bing Lin,"
WEI MING HE a/k/a "Wei Ho," a/k/a "Weiming He," a/k/a "Ming Wei,"
a/k/a "Xue Dong," and
YU HUA MEI a/k/a "Samantha Mei,

aiding and abetting one another, and aided and abetted by one another, did knowingly and intentionally devise a material scheme and artifice

to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

28. On or about the date of each Count listed below, in the Middle District of Pennsylvania, and elsewhere, the defendants, for the purpose of executing the material scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, caused to be delivered by the United States Postal Service, and by any private and commercial interstate carrier, the following matters and things:

COUNT	DATE	SENDER	RECIPIENT	DESCRIPTION
2	On or about 10/7/11	PennDOT Harrisburg, PA 17106-8691	New Egg Bus, Inc., 122 South Penn Street, Bellefonte, PA 16823	PennDOT bus title # 63608414, retitling bus [VIN YE2CC18B762047156] from All State Travel Bus, Inc. to New Egg Bus, Inc.
3	On or about 11/18/11	PennDOT Harrisburg, PA 17106-8691	New Egg Bus Inc., 122 South Penn Street Bellefonte, PA 16823	PennDOT bus title # 68627544, retitling bus [VIN 2M93JMPA45W062786] from Asia Tours, Inc. to New Egg Bus, Inc.

4	On or about 7/14/11	PennDOT Harrisburg, PA 17106-8691	Lienholder for New Egg Bus Inc., 122 S. Penn St. Bellefonte, PA 16823	PennDOT bus title # 69720358, retitling bus [VIN YE2CC16BX52046567] from Massachusetts to Pennsylvania
5	On or about 1/31/12	PennDOT Harrisburg, PA 17106-8691	Lienholder for New Egg Bus, Inc., 1938 Waddle Road, State College, PA 16803	PennDOT bus title # 70377763, titling new bus [VIN YE2CC1AB1C2047787] in Pennsylvania
6	On or about 2/10/12	PennDOT Harrisburg, PA 17106-8691	Lienholder for New Egg Bus, Inc., 1938 Waddle Road, State College, PA 16803	PennDOT bus title # 70412207, titling new bus [VIN YE2CC1AB6C2047803] in Pennsylvania
7	On or about 1/23/12	PennDOT Harrisburg, PA 17106-8691	Lienholder for New Egg Bus, Inc., 1938 Waddle Road, State College, PA 16803	PennDOT bus title # 70348708, titling new bus [VIN YE2CC2BB6C2046297] in Pennsylvania
8	On or about	PennDOT Harrisburg,	All State Travel Bus,	PennDOT bus title # 66655648-2, retitling

	5/5/11	PA 17106-8691	Inc., 37 E. 4 th Street, Wind Gap, PA 18091	bus [VIN YE2CC18B272047339] from New Egg Bus, Inc. to All State Travel Bus, Inc.
9	On or about 12/10/11	PennDOT Harrisburg, PA 17106-8691	Asia Tours, Inc., 258 S. Osmond St., State College, PA 16801	PennDOT bus title # 64445386, retitling bus [VIN YE2CC128012045606] from Lease Acceptance Corp to Asia Tours, Inc.

29. As co-conspirators, the defendants are criminally responsible for the conduct of their co-conspirators pursuant to *Pinkerton v. United States*, 328 U.S. 640 (1946).

In violation of Title 18, United States Code, §§ 1341 and 2.

THE GRAND JURY FURTHER CHARGES:

Count 10
Conspiracy to Defraud the United States and to Commit Offenses
(18 U.S.C. § 371)

30. The Grand Jury hereby incorporates by reference, as though fully set forth herein, each of the allegations contained in Counts 1 through 9 of this Indictment.

THE CONSPIRACY

31. From at least as early as April 2005 through in or about May 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

YOU GUO YANG a/k/a “Jackie Wong,”
PAO HUA YU,
TO LEE a/k/a “Leo,”
XING LU CHEN a/k/a “Tom Chen” a/k/a “Xiao Long Chen,”
WEN ZHOU a/k/a “When,”
TIAN JIAN PAN a/k/a “Dong Sheng Zheng,”
MING DI YU a/k/a “Ming De Yu,”
MING ZHONG YU a/k/a “Wei Ming Yu,”
XIU CHENG ZHENG a/k/a “Ah Sen,”
SHIAO WEN HSIEH a/k/a “Cicely,”
YALIN LIU a/k/a “Alan,”
BING LIN PAN a/k/a “Pan Bing Lin,”
WEI MING HE a/k/a “Wei Ho,” a/k/a “Weiming He,” a/k/a “Ming Wei,”
a/k/a “Xue Dong,” and
YU HUA MEI a/k/a “Samantha Mei,

did knowingly, intentionally and willfully combine, conspire, confederate and agree together with one another, and together with

other persons both known and unknown to the Grand Jury, to: (1) defraud the FMCSA, an agency of the United States; and, (2) commit offenses against the United States, to wit: in a matter within the jurisdiction of the executive branch of the government of the United States, to knowingly and willfully make a materially false, fictitious and fraudulent statement and representation, in violation of Title 18, United States Code, § 1001; and, to knowingly and willfully cover up, falsify, and make a false entry in a record and document with the intent to impede, obstruct and influence the investigation and proper administration of a matter within the jurisdiction of the FMCSA, an agency of the United States, in violation of Title 18, United States Code, § 1519.

OBJECTS OF THE CONSPIRACY

32. The objects of the conspiracy were for the defendants to impede and obstruct the proper administration and enforcement of FMCSA regulations governing bus carriers including, but not limited to, regulations relating to financial responsibility, safety, maintenance and drivers. The objects of the conspiracy were pursued to cut costs and to achieve financial benefits for certain bus carriers through non-compliance with regulations,

MANNER AND MEANS

33. It was part of the conspiracy that the defendants made materially false statements and omissions in Motor Carrier Identification Reports (forms MCS-150), in applications for motor passenger carrier authority [forms OP-1(P)], in applications to the Pennsylvania Assigned Risk Insurance Plan, and in other forms, documents and filings made by agents of A-Best Insurance & Financial Services, Inc., and others, on behalf of Apex Bus (NY), Inc., All State Travel Bus, Inc., Universe Bus, Inc., Asia Tours, Inc., New Egg Bus, Inc. and on behalf of other bus carriers which the defendants intended to unlawfully benefit.

- a. Among other material false statements and omissions intentionally and fraudulently made by the defendants in applications, forms, documents and filings, the defendants falsely stated and stated through omission:
 - i. that certain applicants had in place a driver safety training/orientation program;
 - ii. that certain applicants prepared and maintained an accident register, in accordance with 49 CFR 390.15;
 - iii. that certain applicants were familiar with DOT regulations governing driver qualifications and had in

place a system for overseeing driver qualification requirements, in accordance with 49 CFR 391;

- iv. that certain applicants had in place policies and procedures consistent with DOT regulations governing driving and operational safety of motor vehicles, including drivers hours of service and vehicle inspection, repair and maintenance, in accordance with 49 CFR Parts 392, 395 and 396;
- v. that certain applicants were familiar with and would have in place on the appropriate effective date, a system for complying with USDOT regulations governing alcohol and controlled substances testing requirements, in accordance with 49 CFR 382 and 49 CFR Part 40;
- vi. that certain applicants were not affiliated with other FMCSA-licensed entities within the past three years;
- vii. that USDOT safety ratings of certain bus carriers did not need to be identified and disclosed;
- viii. that certain buses were not transferred from one bus carrier to another as the result of legitimate arms-length

business transactions; that certain bus carriers were headquartered at certain locations in Pennsylvania; and, ix. that certain buses were garaged at certain locations in Pennsylvania.

34. The defendants made multiple material false statements and engaged in other materially fraudulent conduct to impede, obstruct and influence the investigation and proper administration of matters within the jurisdiction of the FMCSA, an agency of the Department of Transportation of the United States. As a result of the actions of the defendants engaged in to achieve financial benefits for certain bus carriers, those bus carriers operated unsafe buses and permitted the operation of those buses by unqualified and unsafe bus drivers. Also as a result of the actions of the defendants, the SAFER System contained inaccurate information causing the traveling public to be misled as to the safety of the bus carriers and their drivers and buses.

OVERT ACTS

35. In furtherance of the conspiracy, and to accomplish the objects thereof, one and more of the defendants committed overt acts, in the Middle District of Pennsylvania, and elsewhere.

36. The overt acts included, but are not limited to, the submission of documents to FMCSA, PennDOT, the Pennsylvania Department of State, the Pennsylvania Department of Revenue Bureau of Motor Fuel Taxes and AIPSO. The overt acts committed included, but are not limited to the following:

OVERT ACT NUMBER	DATE	BUS COMPANY	DESCRIPTION OF DOCUMENT SUBMITTED
1	On or about 3/31/11	All State Travel Bus, Inc.	International Fuel Tax Agreement ("IFTA") Quarterly Fuel Tax Report
2	On or about 4/4/11	All State Travel Bus, Inc.	MCS-150 to FMCSA Biennial update or changes
3	On or about 6/30/11	All State Travel Bus, Inc.	IFTA Quarterly Fuel Tax Report
4	On or about 9/30/11	All State Travel Bus, Inc.	IFTA Quarterly Fuel Tax Report
5	On or about 12/31/11	All State Travel Bus, Inc.	IFTA Quarterly Fuel Tax Report cancellation notice
6	On or about 4/17/12	A-One Bus, Inc.	Application for Common Carrier of Persons in Group and Party Service
7	On or about 8/17/11	Asia Tours, Inc.	MCS-150 to FMCSA, biennial update or changes
8	On or about 9/14/11	Asia Tours, Inc.	MCS-150 to FMCSA Biennial update or changes
9	On or about 10/14/11	Asia Tours, Inc.	Power of attorney to PennDOT regarding re-titling VINs

OVERT ACT NUMBER	DATE	BUS COMPANY	DESCRIPTION OF DOCUMENT SUBMITTED
			YE2CC128012045606 and 2M93JMPA45W062786
10	On or about 4/8/13	Asia Tours, Inc.	IFTA Quarterly Fuel Tax Reports 4 th Quarter 2011 and 2012 to PA Department of Revenue Bureau of Motor Fuel Taxes
11	On or about 10/14/11	New Egg Bus, Inc.	Correspondence to PennDOT authorizing Wen Zhou to act on behalf of company to register and title vehicles VIN's YE2CC128012045606 and 2M93JMPA45W062786
12	On or about 1/3/12	New Egg Bus, Inc.	MCS-150 to FMCSA Biennial update or changes
13	On or about 1/17/12	New Egg Bus, Inc.	Power of Attorney to PennDOT regarding retitling VIN YE2CC1AB6C2047803
14	On or about 2/29/12	New Egg Bus, Inc.	Fax to PennDOT re: registration card for VIN YE2CC13B712045276
15	On or about 3/1/12	New Egg Bus, Inc.	Title transfer to PennDOT for VIN YE2CC13B712045276
16	On or about 4/12/12	New Egg Bus, Inc.	Form MV-552A for apportioned tax
17	On or about 5/29/12	New Egg Bus, Inc.	Fax to PennDOT re: apportioned registration card
18	On or about 3/7/11	Universe Bus, Inc.	IFTA Quarterly Fuel Tax Report IFTA Renewal application
19	On or about 12/9/11	Universe Bus, Inc.	Renewal Application, PA Department of Revenue Bureau of Motor Fuel Taxes

In violation of Title 18, United States Code, § 371.

FORFEITURE ALLEGATION

37. The allegations contained in Counts 1 through 10 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, § 981(a)(1)(C) and Title 28, United States Code, § 2461(c).

38. Upon conviction of the offenses in violation of Title 18, United States Code, § 1341, the defendants shall forfeit to the United States of America, pursuant to Title 18, United States Code, § 981(a)(1)(C) and Title 28, United States Code, § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

The property to be forfeited includes, but is not limited to, the following:

- a. Any property constituting or derived from any proceeds which the defendants obtained, directly or indirectly, from mail fraud violations;
- b. United States currency in the approximate amount of \$7,731,019, and all interest and proceeds traceable thereto, in that such sum in the aggregate is property which was involved in the aforestated offenses or is traceable to such property, in violation of Title 18, United States Code, § 1341.

39. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, § 853(p), as incorporated by Title 28, United States Code, § 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

A TRUE BILL:

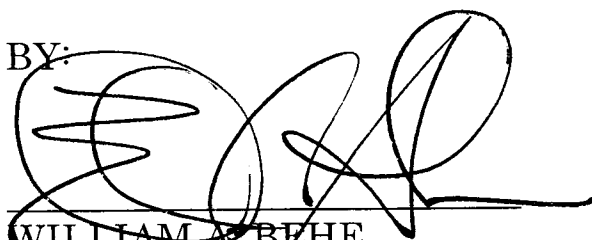


Grand Jury Foreperson

Date: 2/24/16

PETER J. SMITH
UNITED STATES ATTORNEY

BY:



WILLIAM A. BEHE
ASSISTANT U.S. ATTORNEY